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*Attorneys for Defendants*  
*C. R. Bard, Inc. and*  
*Bard Peripheral Vascular, Inc.*

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products Liability MDL NO. 15-02641-PHX-DGC  
Litigation

This Document Relates to:

VICKI WETZEL,

Plaintiff,

Case No. CV-15-01667-PHX-DGC

v.

C. R. BARD, INC., a New Jersey  
Corporation; AND BARD PERIPHERAL  
VASCULAR INC., an Arizona  
Corporation,

Defendants.

**DEFENDANTS' MOTION TO  
DISMISS PLAINTIFF'S  
COMPLAINT FOR FAILURE TO  
COMPLY WITH CASE  
MANAGEMENT ORDER NO. 5**

Pursuant to Fed. R. Civ. P. 12(b) Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. ("Bard") respectfully move this Court to dismiss Plaintiff's Complaint for failure to comply with the terms of Case Management Order No. 5 pertaining to timely service of Plaintiff Profile Forms. Pursuant to Local Rule 7.2(b), this Motion is accompanied by a Memorandum of Points and Authorities.

WHEREFORE, for the reasons set forth above and in the accompanying Memorandum of Points and Authorities, Bard respectfully requests that this Court enter an Order dismissing Plaintiff's Complaint.

This 11<sup>th</sup> day of April, 2016.

s/Richard B. North, Jr.

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**Attorney for Defendants C. R. Bard, Inc. and  
Bard Peripheral Vascular, Inc.**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on April 11, 2016, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send notification of such filing to all counsel of record.

s/Richard B. North, Jr.  
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